

REMARKS

Entry of the foregoing and reconsideration of the subject application are respectfully requested in light of the amendments above and the comments which follow.

As correctly noted in the Office Action Summary, claims 13-20 were pending. By the present response claim 13 has been amended and claims 21-32 have been added. Thus, upon entry of the present response, claims 13-32 remain pending and await further consideration on the merits.

Support for the foregoing amendments can be found, for example, in at least the following locations in the original disclosure: the original claims and the specification, paragraphs [0009], [0026] and [0028].

CLAIM REJECTIONS UNDER 35 U.S.C. §102

Claims 13-20 stands rejected under 35 U.S.C. §102(e) as being anticipated by Mitsubishi Material Corp. (English translation of JP 2001-038504) (hereafter "*JP '504*") on the grounds set forth in paragraph 2 of the Official Action. Claims 13 and 18-20 stands rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,702,808 to Ljungberg et al. (hereafter "*Ljungberg et al.*") on the grounds set forth in paragraph 3 of the Official Action. For at least the reasons noted below, this rejection should be withdrawn.

To anticipate a claim, the reference must teach every element of the claim. See MPEP § 2131. For example, "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d

628, 631 (Fed. Cir. 1987). Here, the rejections are traversed because each of the cited references does not teach every element of the claim. The following comments on each of the references are offered.

The anticipatory rejection based on the disclosure in *JP '504* is improper because the cited document does not disclose all of the features of claim 13, the only independent claim at issue here. For example, *JP '504* does not specifically disclose a layer of textured α -alumina. Further, *JP '504* does not expressly disclose a method including providing reactive species with a concentration of oxidizing species below 5 ppm. Moreover, *JP '504* does not introduce the claimed species in the claimed order to initiate nucleation of the α -alumina layer as presented in claim 13.

Based on the above differences, it is respectfully asserted that an anticipatory rejection is improper because *JP '504* does not disclose all the features of claim 13.

Moreover, and with respect to claim 14, *JP '504* does not disclose an oxidizing species comprising water vapor. (See Table 2, page 6 and Tables 3-4, page 7). For at least this further reason, the rejection of claim 14 should be withdrawn.

The anticipatory rejection based on the disclosure in *Ljungberg et al.* is improper because the cited document does not disclose all of the features of claim 13. For example, *Ljungberg et al.* does not disclose a method including introducing a texture modifying agent into the atmosphere during growth of the α -alumina layer as claimed. For at least this reason, the rejection should be withdrawn.

The remaining claims depend from claim 13 and therefore are improperly rejected as anticipated for at least the same reasons as presented above.

Further and with respect to new claims 21-22, it is respectfully noted that *JP '504* is silent as to a texture coefficient and a columnar grain and that *Ljungberg et al.* discloses texturing in the [110] direction, not the [300] direction. For at least these further reasons, new claims 21-22 distinguish over the presently cited documents.

CONCLUSION

From the foregoing, further and favorable action in the form of a Notice of Allowance is earnestly solicited. Should the Examiner feel that any issues remain, it is requested that the undersigned be contacted so that any such issues may be adequately addressed and prosecution of the instant application expedited.

Respectfully submitted,

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